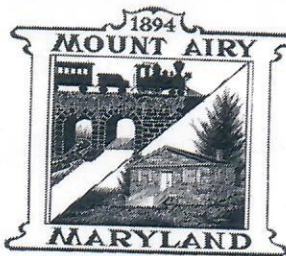


LARRY HUSHOUR
Mayor

JASON M. POIRIER
Council President



Council Members
PAMELA M. REED
Secretary

KARL L. MUNDER
LYNNE P. GALLETTI
STEPHEN L. DOMOTOR

MEMORANDUM
Recommendation from the Planning Commission

TO: Mayor and Town Council

FM: John P. Breeding, Director of Planning and Zoning

DT: January 10, 2022

RE: Rigler Annexation 2021-44

At its regular monthly meeting on December 29th, 2021, the Mount Airy Planning Commission voted to recommend the annexation of Rigler Property as proposed in Annexation Resolution No. 2021-44.

The Planning Commission voted to recommend the annexation into the Town of Mount Airy subject to the following conditions:

- 1- That the Annexation Agreement require Petitioners, and/or their successors in interest, to design, construct and dedicate to the Town a direct road connection to the Windy Ridge Park, a Town owned Park, off Prospect Road.
- 2- That the zoning of the property should be R-2 within the Town of Mount Airy.
- 3- That a zoning waiver be obtained from the Fredrick County Commissioners for the increased density from current zoning within Fredrick County.

Annexation Plan for Rigler Property #2021-44



11/29/2021

TOWN OF MOUNT AIRY
RIGLER PROPERTY ANNEXATION PLAN

General Information and Description

1. Petitioners:

The Town was presented with an Annexation Petition for the parcel of land located in Fredrick County known as the Rigler Property. The Town Attorney reviewed the petition and was able to certify that the Petition meets the requirements for annexation under the Md. Local Gov't Article of the Maryland Code ("LG"), 4-401 and the Town Code Charter 44, including that the property to be annexed is contiguous with the Town boundary and will not create an enclave. The property is located within the Town's Municipal Growth Element of its most up to date Comprehensive Plan. Therefore, the proposed annexation is consistent with the Town's Master Plan.

2. Property Location:

The proposed annexation area totals 24.98 acres of land and is located along the north side of Prospect Road.

3. Property Description:

The Annexation Petition for the property is attached hereto. The Annexation Petition is attached to the Resolution as Exhibit 1. The Annexation Area is described by a meets and bounds legal description which is included as Exhibit A of the Annexation Petition. A plat of the annexation area outlining the proposed boundaries is also included as Exhibit B of the Annexation Petition.

4. Adjoining Property:

The West side of the property is not contiguous to the Town limits and adjoins the existing Fredrick County residential subdivision. The East side of the property is contiguous to the Town limits and adjoins the existing residential subdivision West Ridge. The North side of the property is contiguous to the Town limits and adjoins the existing Town of Mount Airy public park Windy Ridge. Town subject area is contiguous to and adjoins the existing corporate limits of Town that is RE Zoning.

5. Zoning and Land Uses:

The Annexation Petition request that the property be zoned R-2 upon annexation. The current zoning in the Fredrick County zoning district is Agricultural. The Town's 2013 Comprehensive Plan shows this parcel as a future annexation and the Municipal Growth Element which was approved was Low Density. The annexation is therefore consistent with the Town's Municipal Growth Element, and with respect to the proposed zoning.

Because the property after annexation would be designated for a more intensive zone in the Town than the County zoning currently applied to the property, a zoning waiver by Fredrick County pursuant to Md. Local Gov't Code Ann., Section 4-416(b) will be necessary.

6. Accessibility:

The property may be accessed by Prospect Road, which is a County Road. No other access points are proposed for this parcel. Locating this entrance will be challenging due to the crest of the hill along Prospect Road.

Development Demands on Public Facilities and Infrastructure:

1. Roads:

The annexation area is accessed from Prospect Road. The new road thought the development will also provide access to a Town owned parcel call Windy Ridge. The new road will need to provide access

New Roads – Staff recommends that any annexation be conditioned on the design and construction of an off-Prospect Road which would be dedicated to the Town for use by the Town and the public for access to Windy Ridge Park. The road access shall be designed and constructed per Town Codes and subject to final town inspection and acceptance by the Town Engineer.

2. Schools:

The petitioner is proposing to add 33 single family homes via this annexation.

3. Water Supply:

The Town will need to provide water to this parcel with a change to the water allocation Master plan. The developer might be required to provide offsite improvements to connect into the existing water supply lines.

4. Sewer Supply:

The annexation of this parcel would increase the Town Sewer Capacity by about 100 people

5. Parks and Recreation:

The proposed annexation would add approximately 12 acres of open space on site as part of the subdivision and provide direct access to a Town owned 89 acres Windy Ridge Park. **The Town is currently in deficit as to public open space under the APFO and would subject to the Towns Adequate Public Facilities Ordinance requirements unless they can provide open space on site.**

6. Fire and Rescue Services:

The area will be served by the Mount Airy Volunteer Fire Department.

7. Police Protection:

This annexation would increase the population by 100 additional people, the current population is 9,645. The additional 100 people will increase the population to 9,765 people. The Town of Mount Airy's Adequate facilities ordinance requires that 1.1 officer per 1,000 persons of population be provided. This annexation would be covered by the Town of Mount Airy's Police Department. Currently, the Town police force has 11 officers.

8. Garbage Collection and Recycling:

Garbage collection and recycling is provided by the Town to residential units. The OPE development will be required and responsible for securing these services.

9. Stormwater Management

Development will be undertaken in accordance with applicable law concerning stormwater management, will have to be approved by Carroll County and will be at the developer's sole cost and expense. For all stormwater management on site.

Schedule and Financing of Municipal Services

1. Roads:

The Town of Mount Airy will be responsible for maintenance and snow removal services for roadways dedicated and maintained by the Town.

2. Water:

Will be provided by the Town once allocation for the property is approved and shown on all Water Master plans for the Town.

3. Sewer:

The annexation of this parcel would affect the Town Sewer Capacity.

4. Stormwater Management

Development will be undertaken in accordance with applicable law concerning stormwater management, will have to be approved by Carroll County and will be at the developer's sole cost and expense, except as respects the Parkland.

5. Other Public Improvements:

Not Applicable

6. Municipal Services:

Other municipal services shall be provided by the Town of Mount Airy as per the Town Code and as is customarily provided to similar properties and developments within the Town. The property shall be subject to municipal real estate taxes at the full rate beginning with the next fiscal year after the effective date of the annexation per Town code. Section 101-7, subject to reassessment thereafter as to each improved lot in accordance with applicable provision of the Maryland and Town Codes.

No financing schedule has been identified for this annexation at this time.